

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Inland Real Estate Development Corp PROJECT LOCATION/WATERWAY: Southeast of the  
Intersection of County Line Road and Black Road in Troy Township, Will County, Illinois

FILE NUMBER: 200600181 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: PLAINFIELD.
- U. S. Geological Survey Hydrologic Atlas: PLAINFIELD, 228.
- USDA Natural Resources Conservation Service Soil Survey for Will County.
- U. S. Geological Survey 7.5-Minute Topographic Maps: PLAINFIELD, 1993.
- U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Troy Twp, 1997
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: 18 April 2006
- Other information:

**Rationale for Basis (applies to any boxes checked above):** There are no wetlands located on the subject property.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 24 Apr 06

Approved by: \_\_\_\_\_ Date: 25 Apr 06

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup>Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Ruane Construction PROJECT LOCATION/WATERWAY: Northwest of the Intersection of Laraway Road and Pfeiffer Road in Frankfort, Will County, Illinois

FILE NUMBER: 200600094 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_.
- U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.
- USDA Natural Resources Conservation Service Soil Survey for Will County.
- U. S. Geological Survey 7.5-Minute Topographic Maps: \_\_\_\_\_.
- U. S. Geological Survey 7.5-Minute Historic Quadrangles: \_\_\_\_\_.
- U. S. Geological Survey 15-Minute Historic Quadrangles: \_\_\_\_\_.
- Aerials (Name & Date): Frankfort, 1997
- Advanced Identification Wetland Maps: \_\_\_\_\_.
- Site Visit Conducted on: March 30, 2006
- Other information:

**Rationale for Basis (applies to any boxes checked above):** Wetland 1 is a tributary to Hickory Creek. Wetland 2 is adjacent to Wetland 1 and is therefore jurisdictional. Hickory Creek drains into the Des Plaines River, a navigable waters of the U.S.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soil
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated September 22, 2005, prepared by LRMG.
- This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 5 Apr 06

Approved by: \_\_\_\_\_ Date: 5 Apr 2006

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.



APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mr. & Mrs. Runions PROJECT LOCATION/WATERWAY: Adjacent To Bangs Lake On Lot 14 and 15 On Harrison Street In Wauconda, Lake County, Illinois (Section 24, T44N, R9E)

FILE NUMBER: LRC-2006-545 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
 There are non-jurisdictional waters on the project site.
 There are waters of the United States on the project site.
 There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- There are no jurisdictional waters of the United States present on the project site.
 The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
 The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
 The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
 The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
 The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
 Other:
 Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
 U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
 USDA Natural Resources Conservation Service Soil Survey for Lake County.
 U. S. Geological Survey 7.5 Minute Topographic Maps: \_\_\_\_\_
 U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
 U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
 Aerials (Name & Date):
 Advanced Identification Wetland Maps: \_\_\_\_\_
 Site Visit Conducted on: February 2006
 Other information:

Rationale for Basis (applies to any boxes checked above): Bangs Lake drains to the Fox River, a navigable water, and is therefore under the jurisdiction of this office.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
 the presence of litter and debris
 changes in the character of soil
 wetland boundary
 destruction of terrestrial vegetation
 shelving
 other

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

This office concurs with your wetland delineation report dated March 4, 2006, prepared by DK Environmental Services, Inc.
 This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ Date: 4/5/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: DuPage County Dept. of Transportation PROJECT LOCATION/WATERWAY: Illinois Prairie Path -Aurora Branch/Ferry Creek, West Branch DuPage River and Spring Brook

FILE NUMBER: 200500913 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[X] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[X] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: WHEATON, Naperville.
[X] U. S. Geological Survey Hydrologic Atlas: WHEATON, HA 148., Naperville, HA 154
[X] USDA Natural Resources Conservation Service Soil Survey for DuPage County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: WHEATON, 1993., Naperville.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[X] Aerial Photographs (Name & Date): 2002 aerials
[X] Advanced Identification Wetland Maps: DUPAGE COUNTY..
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above): The project involves replacement to several structures along the Illinois Prarie Path which crosses Ferry Creek, West Branch DuPage River and Spring Brook. The waters of the U.S. involved and the adjacent wetland areas that include permanent and temporary impacts are jurisdictional waters of the U. S.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [ ] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soil
[ ] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by .
[ ] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 4-10-06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1 Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: HBK Engineering, LLC PROJECT LOCATION/WATERWAY: Tinley Creek and 82nd Avenue in Orland Park, Cook County, Illinois (Section 11, T36N, R12E).

FILE NUMBER: LRC-2006-625 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[ ] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: TINLEY PARK.
[X] U. S. Geological Survey Hydrologic Atlas: TINLEY PARK, 152.
[X] USDA Natural Resources Conservation Service Soil Survey for Cook County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: TINLEY PARK, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[X] Aerials (Name & Date):Cook County 1998 and 2003
[ ] Advanced Identification Wetland Maps:
[ ] Site Visit Conducted on:
[ ] Other information:

Rationale for Basis (applies to any boxes checked above): Tinley Creek drains into the Calumet Sag Channel, a navigable water under jurisdiction of this office.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- [X] clear, natural line impressed on the bank [ ] destruction of terrestrial vegetation
[ ] the presence of litter and debris [ ] shelving
[ ] changes in the character of soil [ ] other:
[ ] wetland boundary

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [ ] This office concurs with your wetland delineation report dated , prepared by .
[X] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 4/10/06

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Dave Dunning PROJECT LOCATION/WATERWAY: Property located off Blue Stem Court north of Silver Glen Road and West of Stevens Road in Saint Charles, Kane County, Illinois (SE 1/4 of Section 6, T40N R8E)

FILE NUMBER: LRC2006549 PROJECT REVIEW COMPLETED: [X] Office [ ] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
[ ] The presence of interstate waters (including interstate wetlands^1). (33 CFR 328.3 (a)(2))
[X] The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
[ ] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: GENEVA.
[ ] U. S. Geological Survey Hydrologic Atlas:
[X] USDA Natural Resources Conservation Service Soil Survey for Kane County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[X] Aerial Photographs (Name & Date): Sidwell (no date)
[X] Advanced Identification Wetland Maps: KANE COUNTY
[ ] Site Visit Conducted on:
[X] Other information: FEMA FIRM, the Wetland Delineation Report, dated February 2006, prepared by Ehorn Environmental

Rationale for Basis (applies to any boxes checked above): Otter Creek tributary flows into Otter Creek. Otter Creek is a tributary of Ferson Creek. Ferson Creek is a tributary of the Fox River, a navigable waterway. Therefore, Otter Creek tributary (which is located on the subject property) is under the jurisdiction of the U.S. Army Corps of Engineers.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

- Ordinary High Water Mark indicated by:
[X] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soils
[X] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- [X] This office concurs with your wetland delineation report dated February 2006 , prepared by Ehorn Environmental.
[ ] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 4/13/06

Approved by: [Signature] Date: 4/13/06

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT  
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Atwell-Hicks, Inc. PROJECT LOCATION/WATERWAY: Kane County

FILE NUMBER: 200600276 PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
- There are non-jurisdictional waters on the project site.
- There are waters of the United States on the project site.
- There are both waters of the United States and non-jurisdictional waters on the project site.

**Basis of Jurisdictional Determination:**

- There are no jurisdictional waters of the United States present on the project site.
- The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
- The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- Other:
- Section 10 waterway.

**Information Reviewed**

- U. S. Fish and Wildlife Service National Wetland Inventory: \_\_\_\_\_
- U. S. Geological Survey Hydrologic Atlas: \_\_\_\_\_
- USDA Natural Resources Conservation Service Soil Survey for Kane County.
- U. S. Geological Survey 7.5 Minute Topographic Maps: AURORA NORTH, 1993.
- U. S. Geological Survey 7.5 Minute Historic Quadrangles: \_\_\_\_\_
- U. S. Geological Survey 15 Minute Historic Quadrangles: \_\_\_\_\_
- Aerial Photographs (Name & Date): 1980, 1983, 1985, 1986, 1990, 1991, 1993, 1995, 2001, 2004
- Advanced Identification Wetland Maps: KANE COUNTY
- Site Visit Conducted on: 3/30/2006
- Other information: FEMA FIRM map, NRCS Swampbuster Map

**Rationale for Basis (applies to any boxes checked above):** There are no wetlands or waters present on the subject site.

**Lateral Extent of Jurisdiction (33 CFR 328 and 329):**

Ordinary High Water Mark indicated by:

- clear, natural line impressed on the bank
- the presence of litter and debris
- changes in the character of soils
- wetland boundary
- destruction of terrestrial vegetation
- shelving
- other:

**Basis for Declining Jurisdiction:**

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
  - Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
  - Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

**Confirmation of Wetland Boundaries**

- This office concurs with your wetland delineation report dated \_\_\_\_\_, prepared by \_\_\_\_\_.
- This office does not confirm your wetland boundary.

Recommended by: \_\_\_\_\_ S \_\_\_\_\_ Date: 4-19-2006

Approved by: \_\_\_\_\_ S \_\_\_\_\_ Date: 4-21-2006

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Lee Riemer PROJECT LOCATION/WATERWAY: Kane County

FILE NUMBER: 200600277 PROJECT REVIEW COMPLETED: [X] Office [X] Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- [ ] There are no waters on the project site.
[ ] There are non-jurisdictional waters on the project site.
[X] There are waters of the United States on the project site.
[ ] There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- [ ] There are no jurisdictional waters of the United States present on the project site.
[ ] The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce...
[X] The presence of interstate waters (including interstate wetlands^1).
[X] The presence of a tributary to an interstate water or other water of the US.
[X] The presence of wetlands adjacent^2 ( bordering, contiguous, or neighboring) to interstate or other waters of the US...
[ ] The presence of an isolated water (e.g., intrastate lakes, rivers, streams... mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
[ ] Other:
[ ] Section 10 waterway.

Information Reviewed

- [X] U. S. Fish and Wildlife Service National Wetland Inventory: GENEVA.
[ ] U. S. Geological Survey Hydrologic Atlas:
[X] USDA Natural Resources Conservation Service Soil Survey for Kane County.
[X] U. S. Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1993.
[ ] U. S. Geological Survey 7.5 Minute Historic Quadrangles:
[ ] U. S. Geological Survey 15 Minute Historic Quadrangles:
[X] Aerial Photographs (Name & Date):2002, 2004
[X] Advanced Identification Wetland Maps: KANE COUNTY
[X] Site Visit Conducted on: 3/28/2006
[X] Other information: FEMA FIRM map, NRCS Certified Wetlands map

Rationale for Basis (applies to any boxes checked above): Wetland 1 includes Otter Creek, which drains to Ferson Creek, and to the Fox River, a navigable waterway, and is therefore jurisdictional. Otter Creek is a Class "B" stream. Wetland 1 is part of High Habitat ADID wetland #2003.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

- Ordinary High Water Mark indicated by:
[X] clear, natural line impressed on the bank
[ ] the presence of litter and debris
[ ] changes in the character of soils
[X] wetland boundary
[ ] destruction of terrestrial vegetation
[ ] shelving
[ ] other:

Basis for Declining Jurisdiction:

- [ ] Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
[ ] Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
[ ] Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries:

- [X] This office concurs with your wetland delineation report dated December 13, 2005 , prepared by
[ ] This office does not confirm your wetland boundary.

Recommended by: [Signature] Date: 4-19-2006

Approved by: [Signature] Date: 4-21-2006

^1Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

^2 Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Tom Gruebnau PROJECT LOCATION/WATERWAY: McHenry County

FILE NUMBER: 200600008 (LRC-2006-13918) PROJECT REVIEW COMPLETED:  Office  Field

Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- There are no waters on the project site.
 There are non-jurisdictional waters on the project site.
 There are waters of the United States on the project site.
 There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- There are no jurisdictional waters of the United States present on the project site.
 The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
 The presence of interstate waters (including interstate wetlands<sup>1</sup>). (33 CFR 328.3 (a)(2))
 The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
 The presence of wetlands adjacent<sup>2</sup> ( bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
 The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
 Other:
 Section 10 waterway.

Information Reviewed

- U. S. Fish and Wildlife Service National Wetland Inventory: MCHENRY.
 U. S. Geological Survey Hydrologic Atlas: MCHENRY, HA 255.
 USDA National Resources Conservation Service Soil Survey for McHenry County.
 U. S. Geological Survey 7.5 Minute Topographic Maps: MCHENRY, 1992.
 U. S. Geological Survey 7.5 Minute Historic Quadrangles:
 U. S. Geological Survey 15 Minute Historic Quadrangles:
 Aerial Photographs (Name & Date): 2004
 Advanced Identification Wetland Maps: MCHENRY COUNTY..
 Site Visit Conducted on: 10/17/05
 Other information:

Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated September 30, 2005, it appears Wetland 1 and Wetland 2 are jurisdictional wetlands. These wetlands drain to a tributary to the Fox River, a navigable waterway under Department of the Army jurisdiction.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

- Ordinary High Water Mark indicated by:
 clear, natural line impressed on the bank
 the presence of litter and debris
 changes in the character of soil
 wetland boundary
 destruction of terrestrial vegetation
 shelving
 other:

Basis for Declining Jurisdiction:

- Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- This office concurs with your wetland delineation report dated , prepared by .
 This office does not confirm your wetland boundary

Recommended by: \_\_\_\_\_ S \_\_\_\_\_ Date: 4/20/06

Approved by: \_\_\_\_\_ S \_\_\_\_\_ Date: 5/1/06

<sup>1</sup>Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

<sup>2</sup> Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.